

Daytona Beach Housing Board of Commissioners Retreat

April 16, 2021 11:30 a.m.

I. CEO Employment Agreement - Commissioner Daniels discussed Ms. Bates is well within her rights to have an attorney. He stated he did write a letter regarding this matter and will submit it to Attorney Gilmore. Commissioner Daniels discussed Ms. Bates suspension, adding she is upset that she was reprimanded by the board. Commissioner Jass asked what should be done to rectify the mistake.

Ms. Bates shared this was done in September and she still has no idea why she was suspended. She described the letter she received regarding being insubordinate as inaccurate and not factual. Ms. Bates expressed that she respects the board but does want to be a part of it any longer. Ms. Bates stated it has been difficult to work after this incident, gave examples of perceptions by staff, but she remains professional.

Commissioner Jamison stated she has worked in state government for a number of years and Human Resources, and there are steps for reprimanding an employee. She stated the board jumped to the last step, without seeking to find

a resolution. Commissioner Jamison stated it should have been a discussion item on the agenda instead of blindsiding Ms. Bates and the staff, etc. She expressed her feelings that the board is jeopardizing the entire program by a mistake that was made. Commissioner Daniels stated that Ms. Bates has let the board know that she does not want to renew her contract.

Commissioner Brown Crawford commented that at some jobs, you can give warnings for notices, but Florida is an at will state, so that does not have to be done. Some corporations write policy that states they can do verbal or written reprimand, etc. and the decision is made as a company. Ms. Bates stated that there is a personnel policy.

Commissioner Daniels stated there was a personnel problem and Commissioner Ivey read from Ms. Bates' contract and in the interim, the board should have used the personnel policy that is in place. He continued that the contract didn't speak for using the personnel policy. Commissioner Daniels recalled that Attorney Gilmore stated that the board does have the power to suspend. The board suspended

with a three day with pay over the weekend at the rate that Ms. Bates had.

Ms. Bates stated it was a three-day suspension which began on a Monday. It was at this time that the news spread around town and the staff were already discussing the suspension. She continued that by the time she got back to work, she never said a word to developers/city staff, but they knew and wanted to discuss the matter. Ms. Bates expressed her feelings regarding the board not understanding the ramifications of their actions. The board discussed the rumors during this time.

Attorney Gilmore expressed the need for Ms. Bates to be heard, but in the end, the decision has been made. Ms. Bates stated she thinks it's important that the board does not make the same decision in the same way in the future. Ms. Bates expressed her feelings that the board should have sat down and talked to her some time ago, and this situation wouldn't be where it is today.

Commissioner Jamison suggested the conversation end regarding Ms. Bates. Commissioner Ivey expressed this matter was brought to the board's attention during the

first retreat and has since been brought up at every meeting. The board discussed terminating her contract. Attorney Gilmore stated the reason why he read the contract is because there's an option that Ms. Bates needs to submit notice 60 days beforehand or the board 90 days in advance of an action for non-renewal. He stated they're not terminating her contract, just not renewing it. Commissioner Ivey discussed finding a replacement.

Ms. Bates stated she managed the housing authority professionally and wished to be managed the same way by the board. She stated it's the board's choice what they wanted to do. Ms. Bates recollected she made it clear in November what her issues and concerns were, and the board has never managed it.

II. Goals for Candidate Consideration (Skills, Management

Style, etc.) - Commissioner Jass praised Ms. Bates for bringing in so many top-of-the-line employees and voiced her concern regarding finding a new CEO outside of the housing authority. Ms. Bates stated the board may consider an internal candidate and stated if she were hiring for a new CEO, she would look for someone with extensive RAD,

finance, development, agency management, and program management.

Commissioner Daniels stated he would like to do a recruitment procurement and agreed it would be nice to find someone with RAD experience. Ms. Bates stated she will look for the file of the old procurement and will send them to Commissioner Daniels. Commissioner Brown Crawford echoed finding someone who is familiar with RAD and new Section 3 rules, etc.

Attorney Gilmore discussed Executive Directors in housing authorities that could be considered. Commissioner Jass brought up the board's reputation regarding the matter with Ms. Bates. Commissioner Daniels stated he is not concerned about the reputation and there won't be a shortage of qualified applicants.

III. Options for Creating Candidate Pool -

- A. Recruiter
- B. Professional HR Group
- C. Other

IV. Timeline - Commissioner Daniels mentioned that by next month, the board needs to be moving forward. The

Procurement package will need to be reviewed by the
commissioners.

V. Board Meeting Time - Not discussed.

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